

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MARKUS KETCHENS,

1:05-cv-00131-OWW-LJO-P

Plaintiff,

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS** (Doc. 12)

vs.

ORDER DISMISSING ACTION

ROCHA, et al.,

Defendants.

Markus Ketchens ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 72-302.

On June 14, 2006, the Magistrate Judge filed Findings and Recommendations herein which were served on plaintiff and which contained notice to plaintiff that any objections to the Findings and Recommendations were to be filed within thirty (30) days. On July 13, 2006, plaintiff filed objections to the Magistrate Judge's Findings and Recommendations.

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1 In accordance with the provisions of 28 U.S.C.
2 § 636(b)(1)(C) and Local Rule 73-305, this Court has conducted a
3 de novo review of this case. Having carefully reviewed the
4 entire file, the Court finds the Findings and Recommendations to
5 be supported by the record and by proper analysis.

6 Accordingly, IT IS HEREBY ORDERED that:

7 1. The Findings and Recommendations, filed June 14, 2006,
8 are ADOPTED IN FULL; and,

9 2. This action is DISMISSED based on Plaintiff's failure
10 to comply with 42 U.S.C. § 1997e(a) by not exhausting the
11 available administrative remedies prior to filing suit.

12
13 IT IS SO ORDERED.

14 **Dated: August 6, 2006**
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/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE